

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

REBECCA MOORE,)	
)	
Plaintiff,)	No. 4:15-CV-418 JAR
)	
v.)	Consolidated with Case Nos.:
)	4:15-CV-453 JAR
JEFFERSON CAPITAL SYSTEMS, LLC,)	4:15-CV-488 JAR
)	4:15-CV-489 HEA
Defendant.)	4:15-CV-490 ERW
)	4:15-CV-492 HEA
)	4:15-CV-493 RWS


MEMORANDUM AND ORDER

On October 1, 2015, the Court stayed this matter pending resolution by the Eighth Circuit of the appeal in Nelson v. Midland Credit Mgmt., Inc., No. 4:15CV00816 ERW, 2015 WL 5093437 (E.D. Mo. Aug. 28, 2015), a case involving the identical issue presented in this consolidated action, i.e., whether filing a proof of claim for a time-barred debt is a violation of the Fair Debt Collection Practices Act, 15 U.S.C. § 1692 *et seq* (FDCPA) (Doc. 30). The Eighth Circuit Court of Appeals has since resolved that appeal. See Nelson v. Midland Credit Mgmt., 828 F.3d 749 (8th Cir. 2016). The Court will, therefore, order the stay lifted. At the time the Court stayed this matter, there was a pending motion to dismiss that was fully briefed (Doc. No. 18). The Court will give the parties an opportunity to file any supplement to their briefing on Defendant's motion to dismiss before ruling on the motion.

Accordingly,

IT IS HEREBY ORDERED that Defendant's Motion to Lift Stay [36] is **GRANTED** and the stay ordered on October 1, 2015 is **LIFTED**.

IT IS FURTHER ORDERED that Plaintiff shall file any supplemental response to Defendant's Motion to Dismiss no later than fourteen (14) days from the date of this Order; Defendant shall have ten (10) days thereafter to file any supplemental reply in support of its motion to dismiss.



JOHN A. ROSS
UNITED STATES DISTRICT JUDGE

Dated this 21st day of November, 2016.